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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,802	06/20/2001	Mark Edward Pecen	CS11386	4497

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EXAMINER	
YAO, KWANG BIN	
ART UNIT	**PAPER NUMBER**
2667	

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/885,802	PECEN ET AL.	
	Examiner	Art Unit	
	Kwang B. Yao	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 June 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-11* is/are allowed.

6)☒ Claim(s) *12-15* is/are rejected.

7)☒ Claim(s) *16-18* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 June 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *10/12/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rinne et al. (US 6,711,141) in view of Norstedt (US 4,586,134).

Rinne et al. discloses a system for controlling PDP context comprising the following features: regarding claim 12, a method for controlling multiple data flow between a mobile device and a network through a radio network controller (Fig.1, RNC), comprising the steps of: associating a packet data protocol context with a corresponding identifier (Fig. 3, 30, 31, 32, 33), see column 3, lines 12-15; column 4, lines 29-32; column 5, lines 1-30; regarding claim 14, wherein the identifier corresponds to a radio bearer identity, see column 5, lines 26-30; regarding claim 15, wherein the identifier corresponds to a packet flow identifier, see column 5, lines 23-26. Rinne et al. does not disclose the following features: regarding claim 12, generating a flow control bit-map controlling transmission of the data flow to the mobile device, and transmitting the flow control bit-map from the mobile device to the radio network controller; and discretely controlling transmission of the data flow from the radio network controller to a plurality of interfaces within the mobile device; regarding claim 13, step of determining whether the flow control bit-map has changed since receipt of a prior generated flow control bit-map.

Norstedt discloses a computer network system comprising the following features: regarding claim 12, generating a flow control bit-map controlling transmission of the data flow to the mobile device (Fig.1, 4), and transmitting the flow control bit-map (Fig. 4, SSID 106; Fig. 5, SSID 112) from the mobile device (Fig. 1, 4) to the radio network controller (Fig. 1, HOST PROCESSOR 1), see column 5, lines 34-65; and discretely controlling transmission of the data

flow from the radio network controller (Fig. 1, HOST PROCESSOR 1) to a plurality of interfaces (Fig. 1, LU 42, 43,) within the mobile device (Fig. 1, 4); regarding claim 13, step of determining (Figs. 1 and 6, VTAM 12) whether the flow control bit-map (Fig. 4, SSID 106; Fig. 5, SSID 112) has changed since receipt of a prior generated flow control bit-map (Fig. 6, session identifier table 138), see column 5, lines 35-65; column 7, lines 15-44; column 9, lines 59-63; column 13, lines 33-45. It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Rinne et al., by using the features, as taught by Norstedt, in order to provide an efficient data communication system by decreasing the time and resource consuming session establishment procedures. See Norstedt, column 2, lines 30-32.

Allowable Subject Matter

5. Claims 1-11 are allowed.

6. Claims 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: Claims 1-11 and 16-18 identify the uniquely distinct features: regarding claims 1-5, a general resource indicator generating a first indication in response to system memory of the mobile device being substantially exhausted; a private resource indicator generating a second indication in response to private resources corresponding to the plurality of device interfaces being substantially exhausted; a control processing unit generating a flow control indication signal in response to the first indication, the second indication, flow control information corresponding to

the plurality of interfaces, and the identifiers associated by the identity associating layer; and a bit-map generator generating a bit-map, based on the flow control indication signal, discretely controlling transmission of data from the radio network controller to the plurality of device interfaces; regarding claims 6-11, a general resource indicator, positioned in the mobile device, generating a first indication in response to system memory of the mobile device being substantially exhausted; a private resource indicator generating a second indication in response to private resources corresponding to the plurality of interfaces being substantially exhausted; a first control processing unit generating a flow control indication signal in response to the first indication, the second indication, flow control information corresponding to the plurality of interfaces, and the identifiers associated by the identity associating layer; a bit-map generator generating a bit-map based on the flow control indication signal; and a second control processing unit interpreting the bit-map generated by the bit-map generator and discretely controlling the transmission of the data from the radio network controller to the plurality of Interfaces; regarding claims 16-18, determining whether general resources of the mobile device have been substantially exhausted; determining whether resources associated with each of the plurality of device interfaces has been substantially exhausted; and determining whether an indication has been received from each the plurality of device interfaces to disable corresponding transmission of the data flow. The closest prior art, Rinne et al. (US 6,711,141) and Norstedt (US 4,586,134) disclose conventional communication systems, either singularly or in combination, fail to anticipate or render the above features obvious.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Forssell et al. (US 6,665,280) discloses a wireless communication system.

Pasternak et al. (US 6,760,305) discloses a wireless ATM network.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwang B. Yao whose telephone number is 571-272-3182. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KWANG BIN YAO
PRIMARY EXAMINER

Kwang B. Yao
October 27, 2004